

REMARKS

Claims 1-20 are pending in the present application.

Claims 1-20 have been rejected.

Claims 5-7 and 13-15 have been amended solely to correct an antecedent basis error, without altering the scope of the claims.

Applicants request reconsideration of Claims 1-20 in view of the following arguments.

In Sections 2-9 of the June 4, 2004, Office Action, the Examiner rejected Claims 1-5, 7-13, 15-18 and 20 under 35 U.S.C. §102(e) as being anticipated by United States Patent No. 6,665,718 B1 to *Chuah et al.* (hereafter, "*Chuah*"). In Sections 10-12 of the June 4, 2004, Office Action, the Examiner rejected Claims 6, 14 and 19 under 35 U.S.C. §103(a) as being unpatentable over *Chuah* in view of United States Patent No. 5,603,084 to *Henry et al.* (hereafter, "*Henry*"). The Examiner asserted, in essence, that limitations recited in Claims 6, 14, and 19 regarding "the step of determining that an unprovisioned mobile station [] is unauthorized according to a predetermined telephone number" that are not found in the *Chuah* reference are instead found in the *Henry* reference.

The Applicants have reviewed the rejection of independent Claims 1, 9 and 17 and respectfully assert that the Examiner has misunderstood the claim language. The Applicants direct the Examiner's attention to Claim 1, which contains the unique and non-obvious limitations emphasized below:

1. (Original) For use in a wireless network comprising a plurality of base stations, each of said base stations capable of communicating with a plurality of

mobile stations, a security device capable of preventing an unprovisioned one of said plurality of mobile stations from accessing an Internet protocol (IP) data network through said wireless network, said security device comprising:

a first controller capable of receiving from said unprovisioned mobile station an IP data packet comprising an IP packet header and an IP packet payload and replacing said IP packet header with a replacement IP packet header comprising an IP address of a selected one of at least one provisioning server of said wireless network. (*emphasis added*)

Independent Claims 9 and 17 recite analogous limitations. The Applicants respectfully assert that the above-emphasized limitations of Claims 1, 9 and 17 are not disclosed, suggested, or even hinted at in the *Chuah* reference.

In rejecting independent Claims 1, 9 and 17, the Examiner asserted that *Chuah* discloses “encrypting at least a portion of said IP packet payload.” However, the Applicants note that not one of independent Claims 1, 9 and 17 recites such a limitation. The Applicants believe that the Examiner may have erroneously inserted this limitation from another patent application. Instead, as emphasized above, independent Claims 1, 9 and 17 recite replacing an IP packet header with a replacement IP packet header comprising an IP address of a selected one of at least one provisioning server of a wireless network. The Applicants respectfully assert that the above-emphasized limitation is not disclosed, suggested or even hinted at in the *Chuah* reference. Furthermore, the Applicants respectfully submit that the *Henry* reference does not overcome this shortcoming of the *Chuah* reference.

The Applicants note that the device disclosed in the *Chuah* reference is directed to a different problem than the claimed invention. Unlike the security device recited in Claim 1, the registration

agent described in the *Chuah* reference is not concerned with preventing unprovisioned mobile stations from accessing the IP network. Rather, the registration agent of the *Chuah* reference is concerned with registering a provisioned end user attempting to establish either fixed or roaming service with its home network or a foreign network. *See Chuah, col. 6, lines 28-57.*

This distinction is further drawn in the passage cited in rejection of dependent Claims 4 and 12. The Examiner cites column 8, line 66, to column 9, line 20, as describing the claimed limitation of a second controller determining that an unprovisioned mobile station is unprovisioned. In fact, the cited passage describes a registration server that determines the identity of a roaming end system's home network. *See, Chuah, col. 8, line 66, to col. 9, line 1.* The Applicants respectfully assert that the *Chuah* reference clearly indicates that the roaming end system is an already provisioned device. Since the roaming end system in the *Chuah* reference is associated with a home network, it must already have gone through a provisioning process. This being the case, the roaming end system in the *Chuah* reference cannot be an unprovisioned device.

Similarly, the Examiner cites column 16, line 54, to column 17, line 20, as teaching the determination that a mobile station is unprovisioned from its inability to authenticate to a wireless network, as claimed in dependent Claims 5, 13 and 18. Again, the cited passage actually describes determining the end system's home network and sending the end system's registration request for authentication to that home network. *See, Chuah, col. 17, lines 8-11.* Thus, the *Chuah* reference clearly teaches the registration and authentication of provisioned mobile end systems, rather than the prevention of unprovisioned mobile stations from accessing an Internet protocol data network

through a wireless network, as recited in independent Claims 1, 9 and 17, and their dependent claims.

Thus, independent Claims 1, 9 and 17 contain unique and non-obvious limitations that are not disclosed, suggested, or even hinted at in either the *Chuah* reference or the *Henry* reference, or in the combination of the *Chuah* and *Henry* references. This being the case, Claims 1, 9 and 17 are patentable over the *Chuah* and *Henry* references.

Also, dependent Claims 2-8, 10-16 and 18-20 depend from independent Claims 1, 9 and 17, directly or indirectly, and contain all of the unique and non-obvious limitations recited in the base claims. As such, Claims 2-8, 10-16 and 18-20 also are patentable over the *Chuah* and *Henry* references. Thus, the Applicants respectfully request the withdrawal of the §102 rejection of Claims 1-5, 7-13, 15-18 and 20 and the §103 rejection of Claims 6, 14 and 19.

SUMMARY

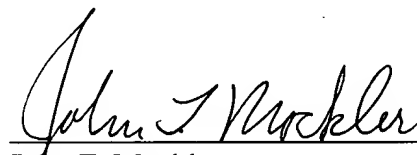
For the reasons given above, the Applicant respectfully requests reconsideration and allowance of pending claims and that this Application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,
DAVIS MUNCK, P.C.

Date: 24 August 2004

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: *jmockler@davismunck.com*



John T. Mockler
Registration No. 39,775